

PHILLIP A. TALBERT
Acting United States Attorney
ALSTYN BENNETT
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN DOMINGO,

Defendant.

CASE NO. 2:21-CR-00119-JAM
2:15-CR-00165-JAM

STIPULATION SETTING STATUS
CONFERENCE AND EXCLUDING TIME PERIOD
UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, *United States v. Steven Domingo*, Case No. 2:21-cr-00119-TLN was related to *United States v. Steven Domingo*, Case No. 2:15-cr-00165-JAM, and was reassigned the following Case Number: 2:21-cr-00119-JAM.

2. There are currently no pending dates set for either case.

3. By this stipulation, the parties now move to set a status conference on November 16, 2021 at 9:30 AM, and to exclude time between October 13, 2021 and November 16, 2021, under Local Code T4.

4. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case

1 includes investigative reports and related documents, criminal history documents, other paper
2 documents totaling approximately 25 pages, and video. All of this discovery has been either
3 produced directly to counsel and/or made available for inspection and copying.

4 b) In light of this discovery, and based on counsel's own investigation concerning
5 the defendant's circumstances, counsel for defendant desires additional time to consult with her
6 client, to review the current charges, to conduct investigation and research related to those
7 charges, to obtain additional records related to this matter, to review and copy discovery for this
8 matter, to inspect physical evidence seized and/or otherwise available concerning this matter, to
9 discuss potential resolutions with her client, to consider and/or prepare pretrial motions, and to
10 otherwise prepare for trial.

11 c) Moreover, in addition to the general public-health concerns presented by the
12 evolving COVID-19 pandemic, an ends-of-justice delay is particularly apt in this case because
13 counsel have been encouraged to telework and minimize personal contact to the greatest extent
14 possible.

15 d) Counsel for defendant believes that failure to grant the above-requested
16 continuance would deny her the reasonable time necessary for effective preparation, taking into
17 account the exercise of due diligence.

18 e) The government does not object to the continuance.

19 f) Based on the above-stated findings, the ends of justice served by continuing the
20 case as requested outweigh the interest of the public and the defendant in a trial within the
21 original date prescribed by the Speedy Trial Act.

22 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
23 et seq., within which trial must commence, the time period of October 13, 2021 to November 16,
24 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
25 T4] because it results from a continuance granted by the Court at defendant's request on the basis
26 of the Court's finding that the ends of justice served by taking such action outweigh the best
27 interest of the public and the defendant in a speedy trial.

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